

**FINDINGS AND RECOMMENDATION
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND**

APPLICANT: Reid H. Raynor

ASSESSMENT DISTRICT: 3rd

CASE NUMBER: 2022-0154-V

COUNCILMANIC DISTRICT: 3rd

HEARING DATE: November 29, 2022

PREPARED BY: Sara Anzelmo
Planner II

SLA

REQUEST

The applicant is requesting a variance to allow an accessory structure (pole building) with less setbacks than required and in the front yard of a nonwaterfront lot on property located at 3447 Old Crown Drive in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of two tax accounts totaling 30,000 square feet of land and is located with 150 feet of frontage on the south side of Old Crown Drive, approximately 350 west of Cokesbury Court. It is identified as Lots 10 thru 12 of Parcel 479 in Block 21 on Tax Map 17 in the Jacobsville subdivision.

The property is zoned R5 – Residential District, as adopted by the comprehensive zoning for Councilmanic District 3, effective January 29, 2012. The lot is not waterfront and is not located within the Chesapeake Bay Critical Area. It is currently improved with a two-story single-family detached dwelling with a basement and associated facilities.

PROPOSAL

The applicant proposes to construct a 36-foot by 62-foot (2,232 square foot) pole building with rear lean-to in the front yard. The building height would be 20'-6".

REQUESTED VARIANCES

§ 18-2-204(b) of the Anne Arundel County Zoning Ordinance provides that an accessory structure may not be located in the front yard of a nonwaterfront lot. The proposed pole building would be located in the front yard, necessitating a variance to this provision.

A review of the bulk regulations for development within an R5 District reveals that a zoning setback variance would not be required.

FINDINGS

The subject property is rectangular in shape and far exceeds the minimum 7,000 square foot area and 60-foot width requirements for the R5 District. A review of the County 2022 aerial photograph shows that the nearby developed lots on the same side of Old Crown Drive contain

dwellings located approximately 70 feet from the front lot line; the lots across Old Crown Drive appear to have been developed with houses close to or at the 25-foot minimum front setback. The existing dwelling sits far back on the subject lot, 131 feet from the front lot line.

The applicant's letter explains that, due to the location of the dwelling far back on the lot, there is no room to locate the structure behind the home. The applicant also notes that moving the structure back any farther would cause the need to extend the driveway resulting in additional impervious surface. However, this Office notes that there is no impervious surface limitation on this non-Critical Area property and that the existing and proposed improvements would fall well under the 40% coverage by structures limitation for the R5 District.

The **Health Department** commented that the property is served by public water and sewer facilities. The Department has no objection to the request.

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to or inherent in the particular lot or because of exceptional circumstances other than financial considerations, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. The need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicant.

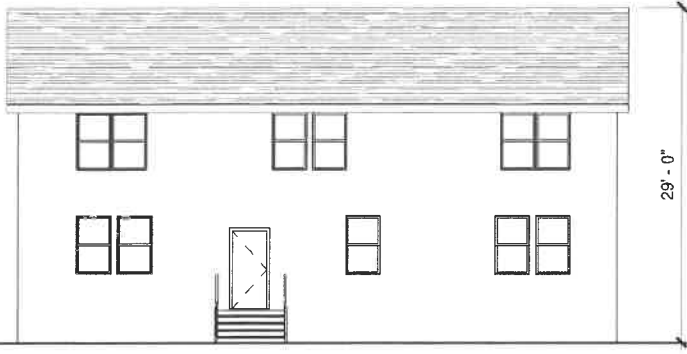
While the location of the existing house far back on the lot prevents development of an accessory structure in the area between the house and the road, this condition does not prevent construction of the desired structure in a location that does comply with the Code. There appears to be ample room to the west of the house where a large detached pole building could be constructed, behind the front facade of the house, without the need for a variance.

The variance would not necessarily alter the essential character of the neighborhood, impair the appropriate use or development of adjacent properties, or be detrimental to the public welfare. However, given that alternatives exist that would eliminate the need for a variance, the variance is not considered to be warranted. Furthermore, the 2,232 square foot accessory structure is excessive and far exceeds that which would typically be associated with a standard residential use. Therefore, it cannot be considered the minimum necessary to afford relief.

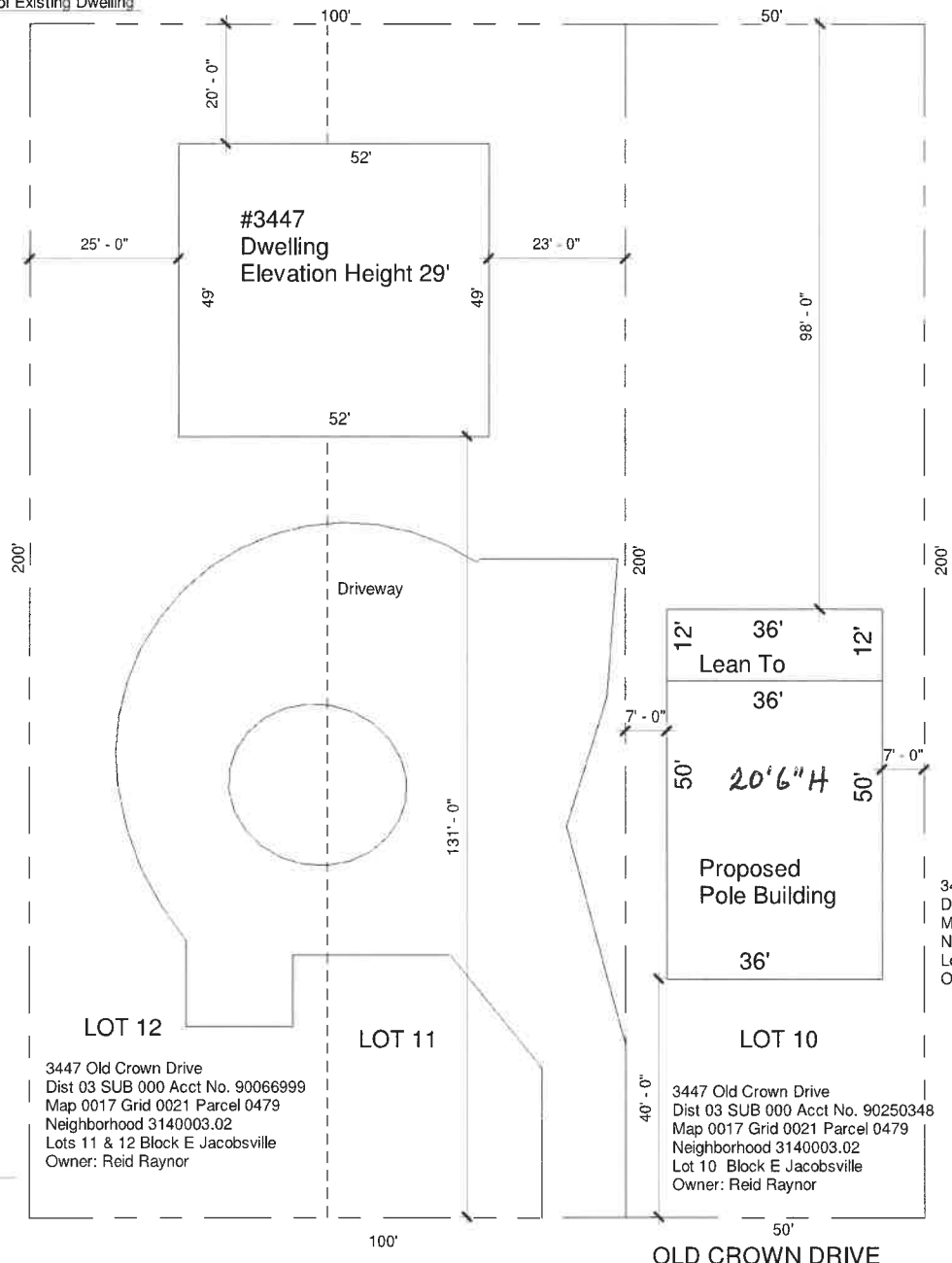
RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***denial*** of a zoning variance to § 18-2-204(b) to allow the proposed 36' by 62' pole building the front yard of a nonwaterfront lot.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.



2 Front Elevation of Existing Dwelling
1/16" = 1'-0"



3447 Old Crown Drive
Dist 03 SUB 000 Acct No. 90250347
Map 0017 Grid 0021 Parcel 0479
Neighborhood 3140003.02
Lot 9 Block E Jacobsville
Owner: Reid Raynor

LOT 12
3447 Old Crown Drive
Dist 03 SUB 000 Acct No. 90066999
Map 0017 Grid 0021 Parcel 0479
Neighborhood 3140003.02
Lots 11 & 12 Block E Jacobsville
Owner: Reid Raynor

LOT 10
3447 Old Crown Drive
Dist 03 SUB 000 Acct No. 90250348
Map 0017 Grid 0021 Parcel 0479
Neighborhood 3140003.02
Lot 10 Block E Jacobsville
Owner: Reid Raynor

1 Site
1" = 30'-0"

SCOPE OF WORK:
36' x 50' Pole Building with 36' x 12' Rear Lean To
On Lot 10 Old Crown Drive

3447 Old Crown Drive

Project number	Project Number	A100
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	Scale As indicated

September 02, 2022

Permit Number: B02394537

Reference:

Comment: In accordance with Article 18-2-204(b), an accessory structure may not be located in the front yard of a non-waterfront lot; and, Article 18-2-204(c)(3), on a different lot, an accessory structure may not be located on a lot other than the lot on which a principal structure is located, except that: an accessory structure may be located on an unimproved lot abutting a lot improved by a principal structure, provided the lots are under common identical ownership and the accessory structure serves the lot with the principal structure for the exclusive use of the owner or the principal structure on the abutting lot. The proposed pole building will be closer to the front property line than the SFD which it serves. An approved variance will be required in order to proceed. Please contact the Zoning Division at 410-222-7437 for information on the variance process, or <https://www.aacounty.org/departments/planning-and-zoning/contact-us/> . Revisions must be submitted through the online Land Use Navigator system (using the blue "Request Revision" link in the permit record's Action column) at: aacounty.org/LUN , or in person at the Permit Center. For questions regarding these comments, please contact: Jennifer Lechner at 410-222-7723 or iplech00@aacounty.org .

We are requesting variance from the code noted above referencing that the request side pole barn but be behind the residential structure. The primary residence was built at the back of the lot not permitting room for this structure to fit behind the main home. To keep with the esthetic of the area and property we are requesting to place the structure on Lot 10 keeping with the code set back of 40' from the main property frontage. Moving the structure back any further on the lot will mean addition impervious would need to be created in extending the drive way to meet the structure for full access. With this requested placement with will also be a much smaller impact to the plants and trees in this area.

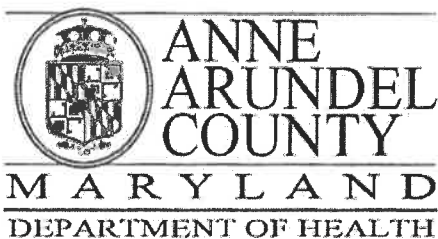
We are willing to work with the zoning on the placement as we understand while we can fully comply with the request to move behind. But the barn in need to house the tools and equipment needed to maintain the property. In addition to house the items so that they are protected from weather and theft.

Thank you for you consideration and I look forward to speaking with you.

Reid Raynor

3447 Old Crown Drive

Pasadena MD 21122



J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Nilesh Kalyanaraman, M.D., F.A.C.P.
Health Officer

M E M O R A N D U M

TO: Sumner Handy, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager *BC 10/12/22*
Bureau of Environmental Health

DATE: 10/11/2022

RE: Reid H. Raynor
3447 Old Crown Drive
Pasadena, MD 21122

CASE
NUMBER: 2022-0154-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has received the above referenced variance request to allow an accessory structure (pole building) with less setbacks than required and in the front yard of a nonwaterfront lot. The Health Department offers the following comments:

The Health Department has reviewed the above referenced request. The property is served by public water and sewer facilities. The Health Department has no objection to the above referenced request.

If you have further questions or comments, please contact Jasmine Baldwin at 410-222-1348.

cc: Sterling Seay

2022-0154-V



- Legend**
- Foundation Addressing
 - Parcels
 - Parcels - Annapolis City

Notes:

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